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P 37/31

Docket No. 4303-4003US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):

Gregory Pinchasik and Jacob Richteret al.

Group Art Unit: 3731

Serial No.:

09/516,753

Examiner:

Bui, Vy Q.

Filed:

March 1, 2000

For:

LONGITUDINALLY FLEXIBLE STENT

EXPRESS MAIL CERTIFICATE

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Date of Deposit:

February 24, 2004

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

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TECHNOLOGY CENTER R3700

I hereby certify that the following attached paper(s) and/or fee

- 1. Information Disclosure Statement;
- 2. Form PTO-1449;
- 3. Six cited references;
- 4. European Search Report;
- 5. Check of \$180.00;
- 6. Return Receipt Postcard

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to the Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450

Susan Shen-Frattura

(Typed or printed name of person mailing papers(s) and/or fee)

(Signature of person mailing paper(s) and/or fee)

Correspondence Address:

MORGAN & FINNEGAN, L.L.P. 345 Park Avenue New York, NY 10154-0053 (212) 758-4800 Telephone (212) 751-6849 Facsimile



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Applicant	t(s): Gr	egory Pinchasik et al.	Group Art Unit:	3731				
Serial No	o.: 09/	/516,753	Group Art Onit.	3731				
Filed:	Ma	arch 1, 2000	Examiner:	Bui, Vy Q.				
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		INFORMATION DISCL	OSURE STATEM	ENT REO-				
P.O. Box	ioner for I			RECFIVED MAR 0 4 2004 TECHNOLOGY CENTER R3700				
Sir:								
Tł	his Inform	ation Disclosure Statement is f	filed in accordance	with 37 C.F.R. §§1.56, 1.97				
		s listed on Form PTO-1449, a						
to assist the	he Patent a	and Trademark Office in its ex	amination of this ap	oplication. The Examiner is				
respectful	lly request	ed to fully consider the items a	and to independently	y ascertain their teaching.				
1. 🖂	For each of the following items listed on the enclosed copy of Form PTO-1449 that is not in the English language, an English language translation of that item or a portion thereof or a concise explanation of the relevance of that item is enclosed:							
	DE 199 0	00 411 - Abstract only						
	DE 197 5	3 123 - Abstract only						
	FR 2,758	,253 - Abstract only						
2.	not in the	of the following items listed of English language, a concise ented in the specification of the	explanation of the re	elevance of that item is				
3.	enclosed	y of the items listed on the enci with this Information Disclosu I to the Patent and Trademark	ıre Statement was p	reviously cited by or				
	·							
4.		due under 37 C.F.R. §1.17(p) s being filed in compliance with		n Disclosure Statement				
		7 C.F.R. §1.97(b)(1), within the oplication other than a CPA; or		iling date of a national				
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			national stage as set forth in §1.491 in an international application; or
			37 C.F.R. §1.97(b)(3), before the mailing date of a first Office action on the merits; or
			37 C.F.R. §1.97(b)(4) before the mailing date of a first office action after the filing of an RCE under §1.114.
5.	1	since in para Allow	e is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement it is being filed in compliance with 37 C.F.R. §1.97(c), after the period specified agraph 4 above but before the mailing date of a final action or a Notice of ance (where there has been no prior final action), and is accompanied by one of rtifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below.
6.		it is be paragr	is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since eing filed in compliance with 37 C.F.R. §1.97(c), after the period specified in raph 4 above but before the mailing date of a final action or a notice of ance (where there has been no prior final action):
			A check in the amount of \$180.00 is enclosed in payment of the fee.
			Charge the fee to Deposit Account No. <u>13-4500</u> , Order No A DUPLICATE COPY OF THIS SHEET IS ATTACHED.
7.	\boxtimes	it is be	is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since eing filed in compliance with 37 C.F.R. §1.97(d), after the mailing date of a final or a notice of allowance, whichever comes first, but before payment of the issued is accompanied by:
			ne of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 elow; and
			the fee due under 37 C.F.R. §1.17(p) which is paid as set forth in paragraph 11 below.
8.		This I	nformation Disclosure Statement is being filed in compliance with:
		a. 🗌	37 C.F.R. §1.313(b)(3) or §1.313(c)(1), after the issue fee has been paid and information cited in this Information Disclosure Statement may render at least one claim unpatentable and is accompanied by the attached Petition To Withdraw Application From Issue and fee pursuant to 37 C.F.R. §1.17(h);
		b. 🗌	37 C.F.R. §1.313(c)(2) or §1.313(c)(3), after the issue fee has been paid and information cited in this Information Disclosure Statement is to be considered in a Request for Continued Examination (RCE) or a Continuation application upon abandonment of the instant application and is accompanied by the attached Petition To Withdraw Application From Issue and fee pursuant to 37 C.F.R. §1.17(h).
		c. 🗌	The fee due under 37 C.F.R. §§1.17(h) is paid as set forth in paragraph 11

below.

9.	I hereby certify that each item of information contained in this Information Statement was first cited in a communication from a foreign patent office in counterpart foreign application not more than three months prior to the filin Information Disclosure Statement.								
		filed herewith was cited in a commu counterpart foreign application or, t	unic to m	tion in the Information Disclosure Statement ration from a foreign patent office in a sy knowledge after making reasonable inquiry, d in §1.56(c) more than three months prior to e Statement.					
10.	\boxtimes	This document is accompanied by \(\subseteq \) a Search Report \(\subseteq \) Communication which was cited in a corresponding \(\subseteq \) PCT or \(\subseteq \) Foreign counterpart application							
11.	\boxtimes	A check in the amount of \$180.00 is C.F.R. §§1.17(h) and 1.17(p).	is en	aclosed in payment of the fees due under 37					
		Charge the fees due under 37 C.F.R. §§1.17(h) and 1.17(p) to Deposit Account No. <u>13-4500</u> , Order No A DUPLICATE COPY OF THIS SHEET IS ATTACHED.							
	X	The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. <u>13-4500</u> , Order No. <u>4303-4003US1</u> . A DUPLICATE COPY CTHIS SHEET IS ATTACHED.							
				Respectfully submitted, MORGAN & FINNEGAN, L.L.P.					
Dated: February 24, 2004 By:				Keith J. McWha Registration No. 44,235					
Cor	respoi	ndence Address:		<u> </u>					
		N & FINNEGAN, L.L.P.							
		Avenue κ, NY 10154-0053							
		-4800 Telephone							
-		-6849 Facsimile							

below.

9.		Statement was first cited in a communic	nation contained in this Information Disclosure ration from a foreign patent office in a than three months prior to the filing of this					
		filed herewith was cited in a communication counterpart foreign application or, to my	y knowledge after making reasonable inquiry, I in §1.56(c) more than three months prior to					
10.	\boxtimes	This document is accompanied by \(\subseteq a \) cited in a corresponding \(\subseteq PCT \) or \(\subseteq \)	Search Report Communication which was Foreign counterpart application					
11.	\boxtimes	A check in the amount of \$180.00 is en. C.F.R. §§1.17(h) and 1.17(p).	closed in payment of the fees due under 37					
		Charge the fees due under 37 C.F.R. §§ 13-4500, Order No A DUPLIC ATTACHED.	1.17(h) and 1.17(p) to Deposit Account No. CATE COPY OF THIS SHEET IS					
X		The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. <u>13-4500</u> , Order No. <u>4303-4003US1</u> . A DUPLICATE COPY OF THIS SHEET IS ATTACHED.						
			Respectfully submitted, MORGAN & FINNEGAN, L.L.P.					
Da	ited: <u>F</u>	February 24, 2004 By:	Keith J. McWha Registration No. 44,235					
<u>Co</u>	rrespo	ondence Address:						
		AN & FINNEGAN, L.L.P.						
34	5 Park	k Avenue	•					

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			U.S	. PA	TENT DOCUMENTS			<i>X</i> ,	
Examiner Initial		Patent Number	Issue Da	te	Name		Class	Sub- Class	Filing Date
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Initial		Patent Number	Date		Country		Class	Class	Translation
		0 623 354 A1	11/09/199	4	EP		A 61 L	31/100	Yes No
		1 020 166 A1 ·	07/19/200	0	EP		A 61 F	2/06	☐ Yes ☐ No
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	1	97 53 123 A1 .	08/05/1999	DE	A 61 F	2/04	Xes □ No Abstract Only
	2	758 253 A1 ·	07/17/1998	FR	A 61 F	2/06	∑ Yes No Abstract Only
		OTHER	DOCUMENT	S (Including Author, Title, Date	, etc.)	(2) s (s	-a
	E	European Search R	eport dated Dec	cember 2, 2003			
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Examiner	Examiner			Date Considered			· · · · · · · · · · · · · · · · · · ·
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP §609.

Draw line through citation if not in conformance and not considered.

Include copy of this form with next communication to Applicant.